

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:

**DAVID R MILLER
CANDIDA H MILLER
Debtor(s)**

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§

**CASE NO. 05-92201-H1
Chapter 7**

**MOTION TO DEPOSIT UNCLAIMED FUNDS INTO THE REGISTRY
UNDER 11 U.S.C. §347 (a)**

The undersigned trustee reports:

- X The dividend(s) payable to the creditor(s) listed on Exhibit "A" hereto is (are) in an amount less than the amount specified in Bankruptcy Rule 3010
- X More than ninety (90) days have passed since the final distribution, and the dividend(s) payable to the creditor(s) listed on Exhibit "A" hereto remain unclaimed.

Pursuant to Bankruptcy 3010 or 3011, as applicable, and 11 U.S.C. § 347(a), the undersigned trustee requests authorization to pay small and/or unclaimed dividends in the total amount shown on said Exhibit "A" for deposit into the United States Treasury, pursuant to Chapter 129 or Title 28 (28 U.S.C., 2041, *et seq.*).

Dated: July 28, 2010

/s/ W. Steve Smith
W. Steve Smith, Trustee
1250 Four Houston Center
1331 Lamar Street
Houston, Texas 77010-3027
(713) 590-9300

EXHIBIT "A"

IN RE:

**DAVID R MILLER
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Debtor(s)**

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RE:

 X Small Dividends
 X Unclaimed Dividends

<u>Name and Address</u>	<u>Claim No.</u>	<u>Amount</u>
Foley's 1110 Main St Houston, TX 77002	2	\$ 2.32
Ellison's Greenhouses, Inc. 2107 East Stone Brenham, TX 77833	4	\$ 3.71
Mike Guthrie 314 Stewart Street Elizabethtown, KY 42701	16	\$256.55
Capital One, N.A. P.O. Box 4539 Houston, TX 77210-4539	26	\$ 83.59
Capital One, N.A., P.O Box 4539 Houston, TX 77210-4539	26a	\$ 68.49
TOTAL:		\$414.66

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Motion to Deposit Unclaimed Funds into the Registry* has been sent to the U.S. Trustee, 515 Rusk Avenue, Suite 3516, Houston, Texas 77002 via electronic mail on this the 28th day of July 2010.

By: /s/ W. Steve Smith
W. Steve Smith, Trustee